

In the High Court of Uttarakhand, at Nainital

A.O. No. 150 of 2003

Riverdale School Society

Having its registered office

at 5 (old no.8) Balbir Road

Dehradun through its president

Ms. Surjit Ahulwalia

.... Appellant.

Vs.

Riverdale High School Society,

Having its registered office at 2/2,

Curzon Road, Dehradun and others

.....Respondents.

Sri Sharad Sharma Advocate for the appellant.

Sri Ranjit Saxena, learned counsel for respondents.

Date: 23-11-2004

Coram: Hon'ble Irshad Hussain, J.

Hon'ble B.S. Verma, J.

P.C.:

Heard Sri Sharad Sharma learned counsel for the appellant and Sri Ranjit Saxena, learned counsel for the respondents.

2- This is an appeal against the order refusing temporary injunction. The original suit No. 4/2002 is pending disposal before the competent court. Since the matter needs to be decided on merit, it will be just and proper to give the direction to the lower court concerned to decide the suit on merit at the earliest.

3- In view of above we direct that the lower Court shall decide the original suit no. 4/2002 Riverdale School Society vs. Riverdale High School Society and others expeditiously, preferably, within a period of three months from the date of the receipt of the certified copy of the order.

4- The appeal is disposed of accordingly.

(B.S. Verma, J.)

(Irshad Hussain, J.)

23.11.2004

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